

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION

JOHN K. MURRAY, #02281-078	§	
VS.	§	CIVIL ACTION NO. 6:15cv495
UNITED STATES OF AMERICA	§	CRIM. NO. TY-88-20-CR(2)

ORDER OF DISMISSAL

Movant John K. Murray, a prisoner confined at U.S.P. Coleman II, filed the above-styled and numbered motion to vacate, set aside or correct his sentence pursuant to 28 U.S.C. § 2255. Murray was sentenced after a plea of guilty in 1988. The cause of action was referred to United States Magistrate Judge K. Nicole Mitchell, who issued a Report and Recommendation concluding that the motion should be dismissed as time-barred. Murray has filed objections.

The Report of the Magistrate Judge, which contains her proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration, and having made a *de novo* review of the objections raised by Murray to the Report, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and the objections by Murray are without merit. As was correctly noted in the Report, Murray's motion was filed more than eighteen years beyond the limitations deadline. It is time-barred by any measure. Therefore, the Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of the Court. It is accordingly

**ORDERED** that the Report and Recommendation (docket entry #2) is **ADOPTED**. It is further


**ORDERED** that Murray's motion to vacate, set aside or correct his sentence pursuant to 28 U.S.C. § 2255 is **DENIED** and the case is **DISMISSED** with prejudice. It is further

**ORDERED** that a certificate of appealability is **DENIED**. It is finally

**ORDERED** that all motions not previously ruled on are hereby **DENIED**.

**It is SO ORDERED.**

**SIGNED this 13th day of July, 2015.**

  
MICHAEL H. SCHNEIDER  
UNITED STATES DISTRICT JUDGE